



IFW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Ichizou NAKAMURA

Group Art Unit: 1733

Application No.: 10/510,918

Examiner: S. MAKI

Filed: October 12, 2004

Docket No.: 121446

For: MOTORCYCLE TIRE

SUMMARY OF SUBSTANCE OF PERSONAL INTERVIEW

OK  
Interview Record 10-29-06  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant appreciates the courtesies shown to Applicant's representative by Examiner Maki during the September 8, 2006 personal interview. Applicant's separate record of the substance of the interview is incorporated into the following remarks.

Applicant's representative began the personal interview by discussing the formal objections and rejections of the Office Action. The Examiner agreed that the Amendment filed on August 16, 2006 should overcome the objections to the drawings and the Abstract.

Applicant's representative discussed the rejection of claims 8 and 9 based on the feature of the "bending portion." In this regard, the Examiner was referred to Figs. 1, 2A-A and 3B-B and pages 3-4 and 8 of the specification. Based on this discussion, and in light of the August 16 Amendment, the Examiner indicated that he now understood the features related to the "bending portion" sufficiently to withdraw the relevant 35 U.S.C. §112, second paragraph, rejection.

The language of the pending claims wherein a part of the rubber constituting a top portion of the sub block is removed to reduce the area of an upper face of the sub block was then discussed. Applicant's representative argued that this language could be interpreted literally to include any portion of the top portion of the sub block being removed to reduce the area of an upper face of the sub block. The Examiner expressed the opinions that this language does not define the shape of the initial sub block and/or that the language suggests a process rather than a structure. Applicant's representative asserted that the claim language describes a structure with those characteristics and is thus clear and definite.

This discussion turned to the prior art rejections of the Office Action. The Examiner indicated that, even if the claims were definite, the claims could be broadly interpreted to be at least suggested by the prior art references. Specifically, the Examiner drew out the figures contained in the Examiner's Interview Summary as examples of sub blocks with portions of the top surface area removed that would result in sub blocks as taught by various prior art references. Applicant's representative argued that, while such an argument may be correct, none of the references taught such initial shapes and/or the subsequent modification of such shapes, in the manner suggested by the Examiner. The Examiner asserted that the issue was what the limits of the claim language read on and, as such, the initial depictions were merely representations of what a "sub block" could be. Applicant's representative reiterated that such structures were neither taught, nor would they reasonably have been suggested, by the applied prior art references, and, as such, the prior art rejections were improper.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

James E. Golladay, II  
Registration No. 58,182

JAO:JEG/hms

Date: October 4, 2006

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